

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHIRLEY LACY,

Plaintiff,

v.

K. L. VILLANEUVE,

Defendant.

CASE NO. C03-2442JLR

ORDER

I. INTRODUCTION

This matter comes before the court on a motion to quash subpoenas from the Washington State Patrol (“WSP”). (Dkt. # 54). WSP is not a party to this action, but is in possession of documents responsive to two subpoenas from Plaintiff Shirley Lacy. Pursuant to court order, WSP has provided all responsive documents to the court for in camera review. Having reviewed those documents as well as the briefing of the parties, the court GRANTS WSP’s motion in part and DENIES it in part.

II. BACKGROUND & ANALYSIS

Plaintiff claims that Defendant Villaneuve, a WSP trooper, violated her civil rights. In June 2002, Defendant pulled Plaintiff over as she drove on Interstate 5 in Seattle. Plaintiff claims that she was not acting unlawfully, and that Defendant stopped her only because of her race. After Defendant stopped her, she allegedly searched

1 Plaintiff's car and arrested her without basis. Defendant ultimately charged Plaintiff with
2 two traffic violations.

3 The first subpoena at issue seeks Defendant's "entire personnel file." The second
4 seeks documents related to any internal investigations of Defendant's conduct as a WSP
5 trooper. The court grants Defendant's motion as to the first subpoena. The court has
6 reviewed Defendant's personnel file, and finds that it has no relevance to Plaintiff's
7 claims. As to the second subpoena, several of the investigations into Defendant's
8 conduct also have no relevance to Plaintiff's claims. WSP need not produce documents
9 related to those investigations.

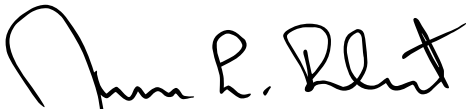
10 Two of the investigations, however, are relevant to Plaintiff's case. One
11 investigation concerns Plaintiff's complaint, and is unquestionably relevant. The other
12 investigation concerns an allegation against Defendant that is sufficiently similar to the
13 allegations in this case to warrant production of investigative documents.

14 The court orders production of the above documents subject to the protective order
15 that accompanies this order. The court advises both Plaintiff and Plaintiff's counsel that
16 it will deal harshly with any violation of that protective order.

17 **III. CONCLUSION**

18 For the foregoing reasons, the court GRANTS WSP's motion to quash in part and
19 DENIES it in part. (Dkt. # 54). WSP shall produce the following documents, which the
20 court identifies by the numbers WSP assigned them when providing them to the court for
21 in camera review: 58-218, 220-332A.

22 Dated this 25th day of April, 2005.

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25 JAMES L. ROBART
26 United States District Judge
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